

REMARKS

Claims 1-20 are pending in the above identified patent application. Claims 1-19 have been withdrawal from consideration as being drawn to a non-elected invention. Claim 20 has been amended, Claims 1-19 have been cancelled and Claims 21-32 are being submitted for consideration by the Examiner. Applicants respectfully request reconsideration and allowance of this application.

Applicants hereby confirm the election to prosecute Claim 20 with Claims 1-19 being withdrawn as being an non-elected invention. Applicants respectfully submit that the amendment to Claim 20 overcomes the rejection under 35 U.S.C. 112, second paragraph.

The rejection of Claim 20 under 35 U.S.C. 103(a) as being unpatentable over Fahy (U.S.P.N. 5,488,984) in view of Pearlman (U.S.P.N. 3,796,608), is respectfully traversed.

Fahy discloses a process for treating metal components which are used in manufacturing an electric motor. Fahy teaches using a sodium borate containing composition for treating electric motor components. The treated metal components are exposed to molten aluminum.

Pearlman discloses an acidic composition for improving the chemical resistance of metals. Pearlman lacks any disclosure that his acidic composition can or should be employed prior to exposure to molten aluminum. Indeed, Pearlman teaches that temperatures associated with molten aluminum are not needed. That is, Pearlman discloses that temperatures so high as to effect alloying and penetration of surface material into the body of the metal (as in commercial siliconizing) are not needed (see Col. 2, Lines 15-20 of Pearlman). It should be noted that siliconized steels are conventionally used in electric motor components. In the absence of Applicants' disclosure, Applicants respectfully submit that there would be no motivation to replace Fahy's metal treatment with the composition of Pearlman. Further, the disclosure of Pearlman teaches away from the high temperatures (i.e., molten aluminum) employed by Fahy. Applicants, therefore, respectfully submit that a skilled person in this art would

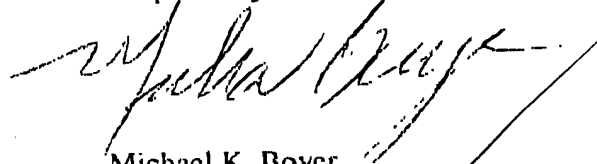
lack the requisite motivation to combine Fahy and Pearlman and, accordingly, these references cannot support a prima facie case of obviousness.

Moreover, assuming arguendo that Fahy and Pearlman are properly combined, the combination fails to render the claimed invention obvious. Pearlman teaches an acidic composition whereas certain of the pending claims recite a basic composition. The potential combination of Fahy and Pearlman fail to disclose, teach, suggest or render obvious a basic composition.

Applicants respectfully request consideration of the Information Disclosure Statement filed on December 27, 2001. This Statement contains references from parent application Serial No. 09/549,119 (now allowed).

Applicants believe that the pending claims define patentable subject matter and respectfully request issuance of a Notice of Allowability for the instant application. Please find the Petition for a One-Month Extension of Time that was submitted on March 26, 2002. Should there any other fee due in connection with the instant application, please charge the same to Deposit Account No. 15-0680 (Orscheln Management Co.). Should the Examiner deem that any further action on the part of Applicants would advance prosecution of this application, the Examiner is invited to telephone Applicants' attorney.

Respectfully Submitted,



Michael K. Boyer
Attorney for Applicants
U.S.P.T.O. Reg No 33085
tel: 660 269-4536
fax: 660 269-4530
email: mboyer@orscheln.com

Encl.: Certificate of Facsimile Transmission Dated: May 15, 2002